

U.S. Appl. No. 09/817,597
Reply to Final Office Action dated January 9, 2006

PATENT
450100-03084

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4, 7, 8 and 10-22 are pending. Claims 1 and 14 are independent. Claims 1, 14 and 22 are hereby amended. Claims 5, 6, 9 and 23-34 are canceled, without prejudice or disclaimer of subject matter. No new matter had been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-4, 7 and 10-22 were rejected under 35 U.S.C. §112, 2nd paragraph and have been amended to correct minor informalities, thereby obviating the rejections.

The Specification was objected to for allegedly failing to provide proper antecedent basis for "first transmitting means for transmitting audio data" as recited in claim 14. Claim 14 has been amended and page 23 of the Specification recites that "the communication I/F 310 transmits signals including image signals and audio signals that are input from the advertisement information adding section 320 to each user terminal apparatus 100."

Therefore, Applicants request that the objection to the Specification be withdrawn.

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II. REJECTIONS UNDER 35 U.S.C. §102(e) and §103(a)

Claims 1-4, 7, 8 and 10-22 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,901,379 to Balter, et al. (hereafter, merely "Balter").

Claims 1-4, 7, 8 and 10-22 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Balter in view of *Desktop Encyclopedia of the Internet* by Muller and *How the Internet Works* by Gralla.

Applicants submit that Balter has an effective filing date of July 7, 2000, which is after the priority date of the present application, which is entitled to the benefit, under 35 U.S.C. §119, of Japanese application 2000-093034 filed on March 28, 2000 in Japan.

Accordingly, Applicants submit that Balter is not prior art and thus all of the outstanding rejections based upon Balter in the outstanding Office Action are overcome.

Furthermore, although Applicants have asserted that Balter is not an effective reference against the present application, such assertion is not a representation concerning distinctions and/or similarities between the present application and Balter. Applicants reserve the right to traverse any further rejection that may be presented.

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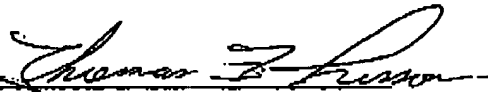
CONCLUSION

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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